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March 9, 2016

Connecticut General Assembly
Judiciary Committee
State Capitol
Hartford, CT 06106

Re: Raised H.B. No. 5598 and Raised S.B. No. 416
Public Hearing March 11, 2016

Dear Judiciary Committee Members:

I write in support of Raised H.B. No. 5598, "An Act Validating the Disposition of Certain Claims by the Claims Commissioner".

By way of background, I represent Ms. Tyshonia Steadman. Ms. Steadman was a student at CCSU and alleges she fell and was injured on campus due to an accumulation of ice on an exposed upper parking lot deck on December 9, 2009.

I commenced a claim on a timely basis pursuant to C.G.S. 4-141, et. seq., by way of correspondence dated January 7, 2010 and January 20, 2010.

The then sitting Claims Commissioner, James R. Smith assigned File No. 22129 to the matter. The AAG's office appeared on behalf of the State on February 4, 2010.

After timely receiving the parties respective Position Statements, Commissioner Smith entered his "Scheduling Order and Pre-Disposition Memorandum" on September 16, 2010.

The Claimant, Ms. Steadman, timely complied with all of Commissioner Smith's orders.

Claims Commissioner Smith was succeeded by Claims Commissioner Vance. By order dated June 1, 2012, Commissioner Vance scheduled a formal hearing on December 6, 2012.

Thereafter, the hearing was cancelled by Commissioner Vance due to a change in location of the Claims Commissioner's offices, and was later rescheduled to March 21, 2013.

Both parties appeared on March 13, 2013 before Commissioner Vance for a Formal Hearing. Both parties presented their respective cases to Commissioner Vance by way of pre-marked Exhibits and several witnesses, called by each side and cross-examined.

Commissioner Vance issued his written Memorandum of decision on February 26, 2015. Commissioner Vance Granted Tyshonia Steadman permission to sue the State.

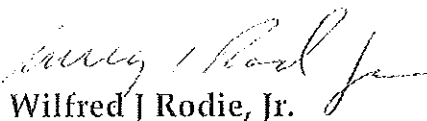
Thereafter, Tyshonia Steadman timely filed suit in Superior Court. The case is pending in the Judicial District of Fairfield at Bridgeport and bears Docket No. FBT-CV-15-6051265-S.

The State, through the AAG as counsel, filed a Motion for Stay of proceedings and for the first time in these proceedings raised an issue of subject matter jurisdiction based on the failure of the Claims Commissioner to render a decision within two years of the date of the filing of the claim. The Plaintiff objected, but the motion for stay was granted by the court to give the Legislature an opportunity to remedy the perceived issue.

Given the facts and timeline outlined, I believe the Raised H. B No. 5598 protects my client, Tyshonia Steadman, and others who I am aware are similarly situated with their claims. Six years have passed since the claim was first filed, and passage of Raised H.B. No. 5598 will give Ms. Steadman all that she is entitled to, which is her day in court, to present evidence, and allow a Judge of the Superior Court the opportunity to make findings of fact and enter Judgment based thereon.

I greatly appreciate your time and consideration. Thank you.

Very Truly Yours,


Wilfred J Rodie, Jr.